

### REMARKS/ARGUMENTS

The Office Action mailed March 14, 2008 has been received and the Examiner's comments carefully reviewed. Claims 2-11 and 44-53 were rejected. Claims 2, 6, 44, 50 and 52 have been amended. For at least the following reasons, Applicants respectfully submit that the pending claims are in condition for allowance.

#### Interview May 30, 2008

Applicants thank the Examiner for the courtesy of the telephone conference on May 30, 2008. The independent claims as amended were discussed. The Examiner indicated that the proposed amendment would overcome the 35 U.S.C. 112 rejection.

#### Claim Rejections

Claims 2-11 and 44-53 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Applicants respectfully disagree but have amended the claims to more clearly define the invention.

As amended, Claim 2 recites in part "a packet assembler coupled to said encoder and to the first interface through a second encoder such that the packet assembler receives input from the data encoder when transmitting at a first transmission speed and the packet assembler receives input from the first interface through the second encoder when transmitting at a second transmission speed, such that first encoder is bypassed when transmitting at the second transmission speed."

The Office Action states that “As to claims 2, 50 . . . the specification never describes that the packet assembler is coupled directly to the first interface and the packet assembler receives input from the first interface when transmitting at a second transmission speed (see Fig. 4 and related disclosure).” (Office Action, p.2). Claim 2 recites “a packet assembler coupled to said encoder and to the first interface *through a second encoder*.” Support for Claim 2 may be found, for example, at Figure 4 and the related disclosure. Amended claim 2 does not recite a packet assembler coupled *directly* to the first interface. Accordingly, Applicants respectfully submit claim 2 is allowable and notice to that effect is respectfully requested. Claims 3-11 are proposed to be allowable as they depend from a valid base claim.

As amended, Claim 44 recites in part “means for encoding system information provided by the data source; means for encoding data provided by the means for encoding system information for transmission; means for assembling packets from data provided by the means for encoding system information when transmitting at a first transmission speed and from data provided by the means for encoding data when transmitting at a second transmission speed, such that the means for encoding data is bypassed when transmitting at a second transmission speed.”

The Office Action States “As to claim 44 . . . the specification never describes that the packet assembler (means for assembling packets) is bypassed when transmitting at a second transmission speed (see Fig. 4 and related disclosure).” (Office Action, p.3). Claim 44, however, recites “means for encoding system information provided by the data source; means for encoding data provided by the means for encoding system information for transmission; means for assembling packets from data provided by the means for encoding system information when

transmitting at a first transmission speed and from data provided by the means for encoding data when transmitting at a second transmission speed, such that the means for encoding data is bypassed when transmitting at a second transmission speed.”

Support for Claim 44 may be found, for example, at Figure 4 and the related disclosure. Amended claim 44 does not recite a packet assembler coupled *directly* to the first interface. Additionally, amended claim 44 does not recite *bypassing* a packet assembler. Accordingly, Applicants respectfully submit claim 44 is allowable and notice to that effect is respectfully requested. Claims 45-49 are proposed to be allowable as they depend from a valid base claim.

As amended, Claim 50 recites in part “a first encoder that is coupled to the interface through a second encoder, wherein the first encoder is arranged to encode the received data to produce encoded data; an assembler that is coupled to the first encoder and to the interface through the second encoder such that the assembler receives input from the first encoder when transmitting at a first transmission speed and the assembler receives input from the interface through the second encoder when transmitting at a second transmission speed.”

The Office Action states that “As to claims 2, 50 . . . the specification never describes that the packet assembler is coupled directly to the first interface and the packet assembler receives input from the first interface when transmitting at a second transmission speed (see Fig. 4 and related disclosure).” (Office Action, p.2). Claim 50 recites “an assembler that is coupled to the first encoder and to the interface *through the second encoder*.” Support for Claim 50 may be found, for example, at Figure 4 and the related disclosure. Amended claim 50 does not recite a packet assembler coupled *directly* to the first interface. Accordingly, Applicants respectfully

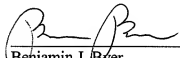
submit claim 50 is allowable and notice to that effect is respectfully requested. Claims 51-53 are proposed to be allowable as they depend from a valid base claim.

Conclusion

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicants at the telephone number provided below.

Respectfully submitted,

MERCHANT & GOULD P.C.

  
Benjamin J. Byer  
Registration No. 62,106  
Direct Dial: 206.342.6245

MERCHANT & GOULD P.C.  
P. O. Box 2903  
Minneapolis, Minnesota 55402-0903  
206.342.6200

